

SUPERIOR COURT OF WASHINGTON COUNTY OF
JUVENILE COURT

IN THE MATTER OF:

CHILD'S FULL NAME

BIRTHDATE

TRIBE(S)/BAND(S)

LEGAL NO.

NOTICE TO PARENT/INDIAN CUSTODIAN

TO:

Name: _____

Address: _____

I. NOTICE OF HEARING

1.1 YOU ARE GIVEN NOTICE THAT THE FOLLOWING LEGAL ACTION IS PENDING FOR THE ABOVE NAMED INDIAN CHILD:

☐ Validation of parental consent to foster care (Chapter 13.34 RCW)

☐ Dependency (Chapter 13.34 RCW)

☐ Guardianship (Chapter 13.34 RCW)

☐ Involuntary termination of parental rights (Chapter 13.34 RCW)

☐ Other: _____

1.2 INFORMATION ABOUT HEARING:

Type of hearing:

☐ Validation of consent to foster care placement

☐ Fact finding on the petition. A copy of the petition is attached. A written response to the petition is not required.

☐ Shelter care hearing

☐ Dependency review

☐ Dependency disposition hearing

☐ Permanency planning review hearing

DISTRIBUTION: Indian child's parents, Service file, Court File, Indian child's Tribe

☐ Other: _____

Date: _____ Time: _____

Location of Court: _____

Mailing address of Court: _____

Telephone number of Court: _____

Name of Judge (if known): _____

Copies of any scheduling orders entered by the Court are attached.

1.3 THIS IS A SERIOUS MATTER SO PLEASE COME TO THE HEARING. THE HEARING MAY RESULT IN ENTRY OF A COURT ORDER FOR:

☐ Dependency

☐ Out-of-home care. If the child is placed in out-of-home care, you remain financially responsible for the costs of the child's care.

☐ Guardianship

☐ PERMANENT LOSS OF PARENTAL RIGHTS

☐ Other: _____

IF YOU FAIL TO ATTEND THE HEARING, THE COURT MAY ENTER THE ABOVE ORDER(S) IN YOUR ABSENCE.

II. ADVICE OF RIGHTS

- 2.1 You have the right to talk to a lawyer. If you cannot afford to pay for a lawyer, you have the right to ask the Court to appoint a lawyer to represent you for free. The Court will grant your request if the pending legal action is dependency, guardianship, or termination of parental rights proceeding, and if you qualify for free legal representation. You do not have a right to a Court appointed lawyer if the pending proceeding is for validation of parental consent to foster care.
- 2.2 A lawyer can look at the social and legal files in your case, talk to the social worker, tell you about the law, help you understand your rights and help you at the hearing.
- 2.3 You have the right to examine all reports or other documents filed with this Court upon which any decision regarding the child may be based.
- 2.4 Upon request, the petitioning agency will furnish case record material, reports or other documents that formed the basis for the decision to petition the Court, as well as all reports and other documents that this agency intends to provide the Court in support of this petition.
- 2.5 You have the right to request that the case be transferred to the Court of the Tribe of which your child is a member or eligible to be a member. You also have the right to object to a transfer of jurisdiction to Tribal Court.
- 2.6 If the proceeding involves dependency, guardianship, or termination of parental rights, you have the right to request and be granted an additional twenty (20) days to prepare for participation in the proceedings. If you wish to request the additional time, you may fill out the attached form and return it as soon as possible to the Superior Court at the mailing address listed on page one (1) of this notice.

DISTRIBUTION: Indian child's parents, Service file, Court File, Indian child's Tribe

- 2.7 At any proceeding you have the right to introduce evidence, testify in your own behalf, question witnesses, and receive a decision from an unbiased judge based solely on the information presented at the hearing.

III. RIGHTS OF ALLEGED FATHERS

- 3.1 To acknowledge paternity, you must file a written statement with the state Office of Vital Statistics. The statement must be signed under oath and state that you are the child's father. You can obtain a form for this purpose from you county prosecutor's office.
- 3.2 If you wish to legally establish paternity, you must get a Court order declaring you to be the father of the child. Such an order will give you all of the legal rights and responsibilities of a parent as provided under Washington law and the Indian Child Welfare Act.
- 3.3 It may be possible for you to acknowledge or establish paternity under tribal law or custom.
- 3.4 If you fail to acknowledge or establish paternity, you may not have any right to participate in this proceeding. You also may permanently lose all rights concerning the child.

Date: _____

NAME OF AGENCY SOCIAL WORKER

TITLE

AGENCY ADDRESS

CITY

STATE

ZIP CODE

AGENCY TELEPHONE NUMBER (include area code)

AGENCY FAX NUMBER (include area code)

Attach Request for Continuance, DSHS 09-544, and copies of the petition (include any attachments) and any scheduling orders.

DISTRIBUTION: Court file, Service file, Parents, Indian Tribe/Other party